



September 26, 2007

Anderson & Associates, Inc.
Attn: Trevor M. Kimzey, P.E.
100 Ardmore Street
Blacksburg, VA 24060

Re: SP 07-021 First & Main, Phase I, Site Development Plan, dated May 4, 2007,
(revised September 21, 2007) 1500 South Main Street

Dear Mr. Kimzey:

The Planning and Engineering Department met with the applicant on September 21, 2007, and has completed its review of the outstanding comments made in our letter dated September 18, 2007. Please keep in mind that **this review of the Phase I site development plan does not confer approval or denial of any building, structure, use or parking lot on any plan of development for adjoining property, including the potential future Phase II site development plan. With respect to any future use or development of the Phase II parcels, the Town has filed a Petition for Writ of Certiorari appealing the Board of Zoning Appeals' decision of July 31, 2007. The Town reserves all of its rights with respect to the application of Ordinance 1450, adopted May 29, 2007, to the proposed development of the Phase II parcels.**

Based on our review, we have confirmed that the outstanding items related to the design of the phase 1 site plan are complete. The site plan is ready for approval, provided the following items are submitted to the town:

Planning Comments

Christopher S. Lawrence, Acting Director of Planning and Building

1. Please provide the required Cross Access Easement to the adjacent Kroger shopping center property.
2. The dedication of an easement for the proposed multi-use path is not required by the proffered conditions for the development under Ordinance 1412, adopted May 9, 2006. The Town could not withhold site development plan approval based on the absence of an easement dedication to the Town. The first two sets of site plan submission materials did not show a public easement for the proposed multi-use path. In the letter dated August 14, 2007 regarding SUB 07-011 and SUB 07-012, town staff requested that the plat show the easement boundaries of the proposed multi-use trail. The August 14, 2007 letter did not request or imply that an

easement be dedicated to the Town as a requirement of site development plan approval. The developers have now decided that they wish the Town to be responsible for the maintenance of the proposed multi-use path and wish to dedicate an easement to the Town for the proposed multi-use path. The Town is not requiring that such an easement be dedicated and would prefer not to accept such an easement if there is any questions about this voluntary nature of the easement. If the developers nevertheless wish to dedicate an easement to the town for the proposed multi-use path, the developers will need to provide a final easement plat and deed of dedication for the proposed multi-use path for review. The Town is willing to consider the proposed dedication of the easement as a voluntary action by the developers.

Engineering Comments

Jim Henegar, P.E., Town Engineer

Water

1. The waterline testing fee for this project is \$1,764. (Combined water and sanitary sewer testing fees total \$3,570.00.) Utility testing fees must be received before the Town will release the approved site plan.
2. Connection fees are based on the meter size as provided on the plans and the Town's connection fees as of July 2007. For a 2-inch meter, the water connection fee will be \$7,992 per connection and the sanitary sewer connection fee will be \$20,152 per connection. This cost assumes that the contractor will install the laterals. If the Town installs the laterals, the connection fees will be \$8,801 per connection for water and \$20,864 per connection for sanitary sewer. Connection fees are based upon the fees in effect at the time the building permit application is submitted.

Erosion & Sediment Control

3. Provide an erosion & sediment control security in the amount of \$106,955.00 as estimated in Contractor's Estimate of Probable Costs dated 9/7/07. An erosion & sediment control security must be received before the Town will release the approved site plan.

Sanitary Sewer

4. The sanitary sewer testing fee is \$1,806.00. (Combined water and sanitary sewer testing fees total \$3,570.00.) Utility testing fees must be received before the Town will release the approved site plan.

General

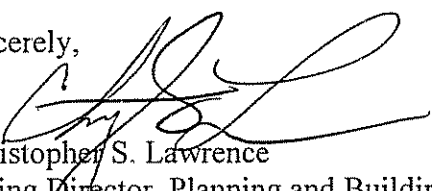
5. Provide a construction schedule and have the developer pay applicable erosion & sediment control and public infrastructure inspection fees of \$210/week. Inspection fees must be received before the Town will release the approved site plan.

6. Supply an engineer's estimate of Phase I public improvements and provide the required public improvements security based on this amount. The public improvements security must be received before the Town will release the approved site plan.

Please submit one signed and sealed mylar copy of the final phase 1 site plan, all required securities, documents, easements, and instruments to our office. Once everything has been received and reviewed, we will approve the site plan for First and Main, Phase 1. It will take three business days, once all items have been received to review the final documents and sign all plans.

Jim Henegar and I coordinated the review of this plan. Please contact Jim at 961-1124 (e-mail jhenegar@blacksburg.gov) or contact me at 961-1126, (e-mail clawrence@blacksburg.gov) if you have questions or concerns regarding this review.

Sincerely,



Christopher S. Lawrence
Acting Director, Planning and Building Department

Cc: Jim Cowan, LeClair Ryan, PC
James Schiely, Fairmount University Realty Trust
Lawrence Spencer, Town Attorney, Town of Blacksburg